

APPROVED: Meeting No. 27-92

ATTEST: 

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 26-92

June 22, 1992

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on June 22, 1992, at 7:30 p.m.

PRESENT

Councilmember David Robbins (Mayor Pro Tem)

Councilmember James F. Coyle

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

ABSENT

Mayor Douglas M. Duncan (Business Travel)

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Upon motion of Councilmember Marrinan, duly seconded, with Councilmember Robbins abstaining, Councilmember Robbins was designated as Mayor Pro Tem for the evening's meeting. Mayor Pro Tem Robbins noted that Mayor Duncan is representing the City at the U.S. Conference of Mayors.

Re: City Manager's Report

1. Over the last couple of weeks, a number of elected officials have been contacted regarding Scott Drive. As promised, staff has initiated a three-prong approach to the problem of

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excessive speeding, including stepping up enforcement activity. During the past week, there were 12 citations and 10 verbal warnings issued along the stretch of the road where the most severe problem has been noted. Staff is also examining signage for possible improvements.

Councilmember Coyle noted that there is a sharp turn on Scott Drive, and half the cars go over to the other side of the road when making the turn. There are no warning signs, and one of the problems there is with speed.

Mr. Romer indicated that staff will carefully review this matter.

2. A number of months ago, the Mayor and Council was contacted by the Rockville Volunteer Fire Department concerning a memorial for firemen in the area. The memorial will be located at Vinson Park, adjacent to the Rockville Library, which is on County property. A lot of planning has been done on the part of the Fire Department, with Norman Gettings making presentations to the Historic District Commission and the Cultural Arts Commission. Both Commissions warmly endorsed the project, and the City is forwarding a letter to the County setting forth the City's full support for the project.

Re: Presentation of proceeds check in the amount of \$2,947.99 to the Rockville Jaycees as co-producers of the 1992 Hometown Holidays.

As in prior years, the Jaycees have provided major support in the production of Hometown Holidays.

The Mayor Pro Tem and Council presented a check in the amount of \$2,947.99 to Stephanie Feazel and Gary Gise of the Rockville Jaycees, representing one-half of the beverage proceeds from the Hometown Holidays celebration.

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Re: Presentation to financial sponsors of the 1992 Hometown Holidays Celebration.

Through sponsorship, donations of \$68,900 were collected from area businesses to support Rockville's largest community event.

The Mayor Pro Tem and Council expressed appreciation to the Chamber of Commerce for their fundraising efforts for Hometown Holidays resulting in donations of \$68,900. Representatives of the Rockville Chamber of Commerce, Bernice Grossman, Executive Director, and Chuck Rheinsmith, Board member, were presented with a check in the amount of \$10,000.

The following sponsors were presented with certificates or plaques in appreciation of their financial support of Hometown Holidays:

Friends (\$100+)

Bernice and Louis Grossman
Lisa W. Taylor, CRS
Thomassen-Lincoln Mercury, Inc.
Twinbrook Beauty Salon

Contributors (\$500+)

Barnett Data Systems
Van Grack, Axelson, Williamowsky & Jacobs

Sponsors (\$1,000+)

Pepsi Cola
Rockville Chamber of Commerce
Rockville Rotary
West Group

Patrons (\$2,500+)

Anheuser-Busch
Magruder's Grocery Stores
Metro Center
Shady Grove Hospital

Benefactor (\$5,000+)

Rockville Gazette
WLTT Radio

(There were many other sponsors of the event who were not able to be present for this recognition.)

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Re: Citizens Forum

At this time, the Mayor Pro Tem opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Stephen Peck, 9005 Scott Drive, referenced the concerns of Scott Drive residents with respect to excessive speeding on this street. Residents have met with Chief Treschuk and the City's Traffic Engineer, Joe Cutro, who confirmed the speeding. A number of potential solutions are being explored, including a traffic circle near the bridge, speed bumps and signage.

With respect to the traffic circle, Mr. Peck suggested that, if there are budget constraints, this could be done in phases. He emphasized the dangerous situation and the fact that it cannot wait until the FY94 budget.

Councilmember Coyle referenced the traffic circle recently installed on Watts Branch Parkway and the fact that it does not appear that this has resolved the problem on that road. He suggested looking at signage at both ends of the road.

The City Manager advised that Mr. Peck would receive a letter detailing the City's plans in this matter to be followed by a detailed report regarding the traffic circle option. Mr. Peck and his neighbors will be apprised of all actions in this matter.

There being no other citizens wishing to be heard, the Mayor Pro Tem closed the Citizens Forum portion of the meeting.

Re: Appointments

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Steven Martinez was appointed to a two-year term on the Advisory Commission on Public Education.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Mark

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Boyland was appointed to a three-year term as an at-large representative on the Landlord-Tenant Affairs Commission.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Steven Palance was appointed to a three-year term on the Science and Technology Commission.

Re: Approval of Minutes

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the minutes of Meeting No. 24-92 (June 8, 1992) were approved, as written.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the minutes of Meeting No. 25-92 (June 15, 1992) were approved, as written.

Re: Consent Agenda

Councilmember Krasnow requested the removal of Item C from the Consent Agenda, and Councilmember Coyle requested the removal of Item I. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

- A. Award of Bid No. 99-92, Time and Materials Contract for Roofing Maintenance, to the low bidder, Kalkreuth Roofing and Sheet Metal, Inc. of Frederick, Maryland.

This is a requirements contract, and \$45,000 is funded in various accounts within the Department of Recreation and Parks budget.

- B. Award of Bid No. 103-92, Elevator Repairs, to Barbee Curran Elevator Company, Inc. of Rockville, Maryland, in the amount of \$47,270.

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This bid is for repair of the hydraulic elevator at City Hall. There are sufficient funds budgeted for this award.

- D. Award of Bid No. 114-92, IBM Compatible Personal Computers, to National Computer, Inc. for the low bid amount of \$20,786.

There are sufficient funds budgeted for this purchase.

- E. Introduction of Ordinance to adopt Text Amendment Application T-122-91, Vernon H. Miller, Applicant.

This application requests amendments to the Town Center section of the Zoning Ordinance to allow greater retail use opportunities in the TCO-1 Zone and to allow parking reductions in the TCO-1 Zone in the same manner as the other Town Center zones.

- F. Acceptance of Text Amendment Application T-126-92, Rockville Planning Commission, Applicant.

This application proposes to amend the Zoning Ordinance by deleting the special development requirement that a dwelling be three years old in order to obtain a special exception for an accessory apartment.

- G. Acceptance of Text Amendment Application T-127-92, Robert R. Harris, attorney for Exxon Corporation, Applicant.

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This application proposes to amend the Zoning Ordinance to provide for the sale of convenience products at automobile filling stations. If accepted for processing by the Mayor and Council, the application will be referred to the Planning Commission for review and recommendation.

- H. Acceptance of Text Amendment Application T-128-92, Joseph A. Lynott, attorney for Marlo Furniture Company, Applicant.

This application proposes to amend the Zoning Ordinance to remove a prohibition on filing a local map amendment in the RPC (Rockville Pike Commercial) Zone. If accepted for processing by the Mayor and Council, the application will be referred to the Planning Commission for review and recommendation.

Re: Award of Bid No. 113-92, Diesel Fuel Storage Replacement/Upgrade, at the Operations Facility at 14625 Rothgeb Drive.

This contract is for the replacement and closure of the present 10,000 gallon underground diesel storage tank, the replacement of all product supply lines and the installation of pipe for Phase II Vapor Recovery.

Councilmember Krasnow had requested the removal of this item (C) from the Consent Agenda to reference what is occurring with Standard Petroleum and noted that she hoped the City is

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avoiding such a problem here.

Assurances were given by the City Manager that City tanks will be replaced in advance of any unfortunate incident. Insofar as privately owned tanks are concerned, staff will check into this and provide the Mayor and Council with a report. It was noted that underground storage tanks have a useful life of 15 years.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Bid No. 113-92, Diesel Fuel Storage Replacement/Upgrade, was awarded to Stone and Hoover Contracting, Lorton, Virginia, for the low bid amount of \$52,889.

Re: Acceptance of Text
Amendment Application T-
129-92, Rockville Planning
Commission, Applicant.

This application proposes to
amend the Zoning
Ordinance to increase the
number of children that may
be provided for in a child
care home from six to eight.

Councilmember Coyle requested the removal of this item (I) from the Consent Agenda in order to note that this proposal was a major point of discussion with the former Child Care Task Force and to express concern that we know more about the potential impact of changing the number from six to eight children. The Planning Commission's notes on their discussion in this matter have not been provided, and Councilmember Coyle feels it is important to ensure that the Chairperson and members of the Child Care Task Force have an opportunity to review the proposed text amendment carefully and comment at the public hearing.

Councilmember Krasnow agreed with Councilmember Coyle regarding the involvement

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of the former Child Care Task Force members. She has attended a number of day care seminars and would support increasing the number of children permissible in a child care home to eight inasmuch as more people favor the home environment over a day care center.

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Text Amendment Application T-129-92, Rockville Planning Commission, Applicant, was accepted for processing.

Re: Discussion and approval of request for financial support from the Rockville Football League for the 1992 season. The Rockville Football League has requested \$9,500 to support purchase of player equipment.

Mayor Pro Tem Robbins indicated that this item came up two weeks ago, and the Council had requested that additional information be provided prior to approval.

Burt Hall, Director of Recreation and Parks, noted that three representatives of the Rockville Football League (RFL), Elbridge James, President, Ron Tolbert, Vice President, and John Shelton were present and available to answer any questions. Mr. Hall stated that RFL has experienced difficulty in meeting its expenses for the past several years. Higher costs for equipment, helmet servicing and recertification have strained efforts to keep the budget balanced. Several positive steps have recently been initiated by RFL to enhance revenues. Revenues received from registration and other fundraising events are used to purchase equipment, uniforms for the flag division, league insurance, awards, helmet servicing and recertification, and promotion and publicity. Registration fees are being increased by 20-25%, an expanded Pee Wee tackle division will broaden the league base, and a series of fundraising activities are planned.

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Staff recommends that funding be provided to RFL in the amount of \$6,500. The additional amount requested of \$3,000 can be secured from a HUD (Department of Housing and Urban Development) grant for the purchase of football player equipment to be loaned to low-income youth.

Mr. Tolbert advised that 45-50 RFL participants are on a full scholarship. Their goal is to provide shoulder pads and arm pads in addition to the helmets. With the new fundraising efforts underway, the Mayor and Council were assured that this would be the last request of the City for support.

Discussion followed regarding the "Kick Off Classic" planned for September 5, helmet certification process and RFL's long-range budget plans.

Councilmember Marrinan reminded everyone of the important companion program of RFL, the excellent cheerleading program, in which both of his daughters participated.

The concern of some parents regarding the readiness of 10 and 11 year olds to engage in tackle football was raised by Councilmember Robbins. Staff responded that football is not a high injury sport for youth, primarily because of the equipment worn and the grouping of teams by weight and age.

Councilmember Coyle moved to approve the request of Rockville Football League for financial assistance in the amount of \$6,500. Councilmember Krasnow moved to amend the motion to indicate that this is to be considered a one-time funding. The motion, as amended, was duly seconded and unanimously approved to provide one-time funding in the amount of \$6,500 to Rockville Football League, with the source of funding being the FY92 Targets of Opportunity account.

Re: Request for Parking
Requirement Reduction,
Richard S. Ehrlich, attorney
for Taste of Saigon,
Applicant.

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This request for reduction of the parking requirements for the Hungerford Plaza complex at 414 Hungerford Drive would accommodate an outdoor dining area for the Taste of Saigon restaurant.

The City Manager advised that, under the Zoning Ordinance, the Planning Commission can grant up to a 30 percent reduction in parking requirements for certain Town Center developments. In addition, the Mayor and Council may grant an additional ten percent if they feel it is necessary.

The Planning Commission has granted a 30 percent reduction for the Hungerford Plaza complex. However, the outdoor dining expansion of the Taste of Saigon restaurant will necessitate an additional two percent reduction from the total parking requirement of 272 spaces for the complex. Both the staff and Planning Commission have recommended approval and, if granted by the Mayor and Council, the use permit for Hungerford Plaza can be amended to include the outdoor dining area.

Councilmember Coyle asked what type of approval is necessary for outdoor dining and if it had been received. The City Manager responded that there are many City and County processes involved. Councilmember Coyle expressed concern with the applicant making such an investment before all the approvals had been received.

There were economic development concerns and, so long as the substantive approvals were received, the applicant was told by the City that the process would move along.

There are a number of other tenants at 414 Hungerford Drive, and Councilmember Krasnow wondered if the other tenants had been contacted and agree that there are enough spaces.

Staff advised that the applicant presented a great deal of evidence as to underutilization of the parking. Although the tenants have not been directly contacted, this request has been authorized

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by the owner and manager of the Hungerford Plaza project, thus it is assumed that all involved are aware of the issues.

Councilmember Krasnow noted that she agrees that most of the additional traffic will be in the evening and, if this request were not granted, it would cause problems now for the applicant. With respect to the remaining 8% reduction which could be made available at some future time, Councilmember Krasnow cautioned that any such requests should be carefully scrutinized.

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, a two percent parking requirement reduction was approved for Hungerford Plaza to accommodate a 600-square foot outdoor dining area for the Taste of Saigon restaurant.

Re: Approval of Waiver No. 15-92, On-Site Stormwater Management for a drive-in bank at 250 North Washington Street, and acceptance of a contribution to the SWM Fund of \$11,600.

The Stormwater Management Task Force has examined this waiver and supports approval.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Waiver No. 15-92, On-Site Stormwater Management for a drive-in bank at 250 North Washington Street, was approved and a contribution to the Stormwater Management Fund in the amount of \$11,600 accepted.

Re: Adoption of Resolution to close accounts for completed capital projects.

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At the end of each fiscal year, the Mayor and Council provide formal authorization to close completed capital projects in accordance with Financial Policy No. 21.

Resolution No. 8-92

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Resolution No. 8-92, the full text of which can be found in Resolution Book No. 10 of the Mayor and Council, was adopted to close completed capital projects in accordance with City Financial Policy No. 21.

Re: FYI/Correspondence

Wootton Parkway Lighting

Councilmember Marrinan commended the City Manager, staff and PEPCO for responding so promptly on this issue.

Economic Development Council Minutes

Councilmember Coyle noted that the EDC minutes reflect a poor response from the business community regarding the draft Economic Development Plan. He requested that staff go back out and make a special effort to get more input from the business community.

Staff noted that 100 copies had been distributed to business entities, and there was not a significant response to the request for comments. The process is to finalize strategies and complete the Economic Development Plan. The EDC will be meeting tomorrow evening, June 23, to review this plan. Once something more substantive is developed, another request for comments of the business community may be initiated.

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Insofar as business retention is concerned, Councilmember Coyle noted the EDC's discussion of efforts to keep Vitro in the City of Rockville and asked how this is progressing. The City Manager responded that staff is doing everything possible to meet this objective.

With respect to the mansion improvements, Councilmember Krasnow reported that she has received a number of comments regarding the two antique pianos at the mansion and wondered why they are being considered for replacement. Staff responded that the Civic Center Mansion Committee has not come up with a firm recommendation. The consultant will check into availability of other pianos that would be functional, as neither piano can be brought up to a functional level. The committee is awaiting more information from the consultant. The pianos are lovely, and Councilmember Krasnow indicated that she would hate to see the City lose them.

Re: New Business

Councilmember Krasnow noted that the Rockville Library is scheduled to close for renovations and expressed concern with the lack of communication between the County and City in this matter. She also wondered whether the County has made a decision regarding installation of parking meters at the library.

The City Manager responded that parking meters have still not been approved and the renovations came as a surprise to him as well.

Councilmember Krasnow indicated that she would like an update from the County as to their plans for the library.

There seems to be some confusion as to the location of the Dogwood Park ballfields, and Councilmember Krasnow asked if there could be some improved signage along Monroe Street to more clearly direct individuals to the park fields.

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As to the crosswalk at Glenora near Dundee, Councilmember Robbins commented that the lines have not been striped.

On June 27, there will be a send-off for Michael Barrowman, who will be representing the United States in Barcelona at the Summer Olympic Games. Mike began his swimming career at age 8 at the Rockville Municipal Swim Center and now attends University of Michigan on a full swimming scholarship. Mayor Pro Tem Robbins invited all to attend the send-off at the Cabin John Center on Saturday at 1:00 p.m.

Re: Next Meeting

The next meeting will be a General Session on July 13.

Re: Adjournment

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the meeting was adjourned at 8:47 p.m., to convene again in General Session on July 13, 1992, at 7:30 p.m., or at the call of the Mayor.